

**OPENTRONS LABWORKS INC.**  
**PRIVACY POLICY**

**Last Updated:** May 4, 2023

**California Notice at Collection:** See the [Additional Disclosures For California Consumers](#) section below for important information about California residents' rights.

This Privacy Policy describes how Opentrons Labworks, Inc. (collectively, “**Opentrons**,” “**we**,” “**our**” or “**us**”) collects, uses, processes and shares personal information. This Policy applies to visitors and users (individually, “**you**”) of Opentrons’ websites on which it is posted (collectively, our “**Services**”). Your use of our Services is also subject to the [Opentrons Terms of Use](#).

Our Services are primarily designed for business organizations and their representatives. We do not offer products or services for use by individuals for their personal, family or household purposes. Accordingly, we treat all personal information we collect from the Services as pertaining to individuals in their capacities as business representatives and not their individual capacities. Opentrons may provide additional or supplemental privacy policies for specific products or services that we offer at the time we collect personal information.

For more details about the information we share with third parties and the recipients of such information, please refer to the [How We Share Your Information](#) section of this Policy. Please note that this Policy does not otherwise cover the use of personal information by those third parties or their services, and we do not take responsibility for their privacy practices.

You may have certain rights or choices that relate to your personal information, including choices about how we share your personal information with others. For more information, please refer to the [Your Choices and Rights](#) section of this Policy.

**OVERVIEW**

<b>Information We Collect and Use</b>	When you use or visit our Services, we collect information directly from you (e.g., when you ask us a question or chat with us, when you enter information into our ROI Calculator found on our website and when you provide product reviews). We may also generate information about you (e.g., information about your device while you visit our website).
<b>How We Use Your Information</b>	We use your information to provide our Services, tailor your experience, send you marketing communications, and for other purposes described below.
<b>How We Share Your Information</b>	We may share your information collected from visiting our Service with affiliates; with our service providers (including payment processors); with other business partners (including advertising partners); and others as

	described below. We share information to provide and improve our Services, for our own marketing purposes, and for other purposes as described below.
<b>How We Store and Protect Your Information</b>	We maintain technical, administrative, and physical security measures designed to protect your information. We may retain your information for as long as necessary for purposes described below.
<b>Cookies</b>	We use cookies and similar technologies to help provide our Services, offer you a more personalized user experience and market our and third parties' products and services to you.
<b>Your Choices and Rights</b>	You have choices about your information, and in some circumstances, you may be able to opt-out of receiving marketing communications, change your communication preferences, access and update your information, exercise choices regarding cookies, and/or opt-out of certain sharing of information with third parties. These choices and other rights you may have are described in more detail below.
<b>International Transfers of Information</b>	We operate internationally, and information about you may be transferred to, or accessed by, entities located in countries outside of your home country. To protect your information, any such international transfers will be made in accordance with applicable law.
<b>Links to Other Websites</b>	Our Services may contain links to other websites or services that are not owned or controlled by Opentrons, including links to our business partners.
<b>Children</b>	Our Services are not directed at or intended for use by children, nor do we knowingly collect information from children under 16 years of age.
<b>Changes to This Policy</b>	We update this Policy from time to time, and changes will be effective when posted (as identified in the Policy).
<b>How to Contact Us</b>	If you have any questions about this Policy or the way your personal information has been used, please contact us at <a href="mailto:privacy@opentrons.com">privacy@opentrons.com</a> or using the contact details set out below.
<b>Additional Disclosures For California Consumers</b>	To the extent we have California consumers using our Services, this section lists the rights California consumers may have under California law. In this section, we also disclose and describe how Opentrons (as defined in the Privacy Policy) collects, uses, processes, and discloses personal information of California consumers. These disclosures are intended to supplement Opentrons' Privacy Policy with information required by the California Consumer Privacy Act, to the extent applicable.

## I. INFORMATION WE COLLECT AND USE

**Personal Information We Collect Directly From You.** As you visit or use our Services, we collect the following categories of personal information directly from you:

- **Personal details**, including your name and job title.
- **Contact information**, including your email address, postal address, and phone number
- **Account information**, including your account settings and passwords for your accounts on our Services.
- **Billing and financial information**, including credit, debit, or other payment card information, as may be required to use purchase or use certain of our products or commercial services, and tax, income and household information as may be relevant to assess qualifications for any financial assistance programs we may offer and only upon application for consideration for such programs.
- **Your preferences**, including survey and marketing responses.
- **Communications you send us**, including customer support communications, messages, error reports or communications to us including via chat and other requests you make through our Services.
- **Other information you may provide**, including other information you provide about yourself or others, such as information you enter into our ROI Calculator and product reviews you share with us.

You may choose not to provide some of the personal information described above. Please note, however, that many of our Services require some personal information to operate, so if you choose not to provide the personal information necessary to operate and provide you with a particular Service or feature of that Service, you may not be able to use that Service or feature.

**Automatic Data Collection.** As you use our Services, we generate certain personal information about you, including through automatic data collection and by inferences based on the information we collect about you and your activity on our Services. We may automatically collect information about your interactions with the Services or communications you receive (such as email) using certain technologies, such as cookies, web beacons and other technologies. We generate the following categories of personal information about you:

- **Device information.** When you visit or use our Services, we automatically collect certain information about your device (e.g., your mobile device, computer, or tablet), including information about your hardware and software, device configuration, and nearby networks. Such data may include data about your device operating systems, browsers, and other software installed on your device; device identifiers, such as IP address, IMEI number, MAC address, or other device identifier; country of origin, region and language settings; and information about domain servers and wireless or network access points near your device.
- **Usage and performance information.** We also automatically collect personal information about your usage of the Services, including information about your searches or interactions with features of our Services; access times; and performance of our Services.

- **Location information.** If you use our Services, we automatically collect generic location information about you (such as city or neighborhood), depending on the choices you make when you are asked to consent to our collection of location information. We may use and store this information to provide and improve features of our Services. Please see the [Your Rights and Choices](#) section below for more information about how to adjust your preferences, including those related to general location information.

**Inferences about you.** We combine the information we collect, generate, or otherwise obtain to draw inferences about your preferences and interests in order to provide and personalize our Services and tailor the offers we and our partners provide to you.

**Personal Information We Obtain from Third Parties.** We may also receive certain categories of personal information from third parties, such as third-party websites, applications, social media networks, and services (which may include publicly-available sources; each of these is a “**third-party platform**”), our affiliates and other third parties. If you are an existing Opentrons customer, we will combine this information with information we collect through our Services and use and share it for the purposes described below. The categories of personal information we may obtain from third parties include:

- **Your name**
- **Email address or other contact information**
- **Service interest**

## II. HOW WE USE YOUR INFORMATION

We use your personal information for the following purposes (“**Purposes**”), to:

- **Provide the Services**, which includes providing you with the services, products, and functionality offered through our Services and fulfilling your requests, including but not limited to: purchasing products, responding to inquiries, providing customer service.
- **Authenticate your account credentials and identify you**, as necessary to log you in to the Services and ensure the security of your account.
- **Communicate with you** about your account or use of our Services, products, and/or functionality; respond to, or follow up on, your comments and questions; and otherwise provide customer service (see below for more detail on [Electronic Communications](#)).
- **Send you marketing communications**, including communicating with you about services or products offered by Opentrons, as permitted by law.
- **Operate and improve our Services and develop new products and services**, including using analytics to better understand how you use our Services for purposes of product, website, application and service development and to enhance the user experience.
- **Show your purchases** made through the Services on your account page.
- **Authenticate your credit or debit card account information.**
- **Assess qualifications for, and to provide, our financial assistance programs.**
- **Provide information regarding potential benefits of using our Services.**
- **Protect against, investigate, and deter fraudulent, unauthorized, or illegal activity.**

- **Comply with our policies, procedures and legal obligations**, including complying with law enforcement or government authority requests, addressing litigation-related issues, and exercising rights or obligations conferred by law.
- **As otherwise consented to by you and as required or permitted by applicable law**. If you give your consent to any further use of personal information, you can withdraw that consent at any time by contacting us using the details set out below.

You have choices about your personal information, and in some circumstances, you may have the right to opt-out or object to our uses of your personal information for these Purposes. For more information, or to exercise these or other rights (where available), see the [Your Choices and Rights](#) section below.

**Electronic Communications.** Consistent with the above Purposes and as permitted by applicable law, we may communicate with you via electronic messages to:

- **Send you information relating to our products and Services.** This may include reminders and updates, receipts, technical notices, updates including updates regarding shipping, security alerts, and support and administrative messages.
- **Send you marketing communications.** In other situations, subject to the [Your Choices and Rights](#) section below and applicable law, we may communicate with you about offers, upcoming events, and other news about products and Services offered by Opentrons, our affiliates and other business partners.

With your consent, where required, we may contact you at the phone number that you provide to us by way of direct dial calls, autodialed and prerecorded message calls and text messages in connection with the above Purposes.

**Our Role as Data Controller and Data Processor.** For purposes of European Union law and similar data protection regimes, we generally act as a data controller, meaning we determine the purposes and means of processing your personal information through our Services. However, for certain of our Services, we act as a data processor or service provider to our customers. In those cases, we may process certain of your personal information about you pursuant to the provision of our Services to customers as a service provider or processor, in which case we will process it in accordance with the instructions of our customer. Please see the privacy policies of those entities to whom you have provided your personal information for more information about their processing of your personal information.

**Processing Bases and Consequences.** When we process your personal information as a data controller or owner, we rely on the following legal bases:

- **Performance of the contract we have with you or our customer** (such as if you use our Services, we will use your information to carry out our obligation to complete and administer your request).
- **To serve our legitimate interests** (such as for fraud detection), provided that such processing does not outweigh your rights and freedoms. The processing may also be pursuant to other applicable legal bases for data processing especially provisions set out under local law. Where we use personal information to meet our legitimate interests, we

take steps to ensure that your rights with respect to your personal information are not infringed. You can contact us using the details set out in the [How to Contact Us](#) section below for more information about the steps we take to ensure these rights are not infringed. You also have the right to object to such processing as described in the [Your Choices and Rights](#) section below.

- **Compliance with legal obligation.** Processing is necessary for compliance with a legal obligation to which we are subject.
- **Consent.** To the extent that a legal ground described above would not apply to processing of your personal information by us, and a specific legal basis is required by applicable law, we will seek your consent for such specific purpose in accordance with applicable law (such as sending direct marketing messages by electronic means, like email, without an exception from the requirement to obtain consent).

**Aggregate Information.** We aggregate personal information collected directly from you, information generated about you by us, and information obtained from third parties (with your consent, where required) with personal information collected about other users in order to produce general statistics that cannot be linked to you or any other specific user. Information that has been aggregated and de-identified is no longer considered “personal information” and may be subsequently used for any purpose.

**Anonymized Information.** We may process information that cannot be linked to you or any other specific user using any means available to us, either because it was collected anonymously or has been subsequently anonymized. Information that is anonymous or has been anonymized is no longer considered “personal information” and may be subsequently used for any purpose.

### III. HOW WE SHARE YOUR INFORMATION

We disclose the personal information we collect (or otherwise generate or obtain) as follows:

- **Affiliates.** We may share your information with our affiliates, including but not limited to for the Purposes described above, to provide you with integrated products and services, and for our and their marketing purposes (see below for more detail on [Sharing with Our Affiliates](#)).
- **Business partners.** We may share information with other third-party business partners for business purposes where permitted under law (see below for more detail on [Sharing with Our Business Partners](#)).
- **Payment processors.** We require credit or debit card information to make purchases of our products or services, in which case we share your payment information with third-party payment processors, and other third-party service providers (such as fraud detection services) (see below for more detail and additional terms regarding [Sharing to Process Payment Information](#)).
- **Service providers.** We share information with third-party vendors, consultants, and other service providers who perform services or functions on our behalf (see below for more detail on [Sharing with Other Service Providers](#)).
- **Business transferees.** We may disclose or transfer your information to a third party if we sell, transfer, divest, or disclose all or a portion of our business or assets to another

company in connection with or during negotiation of any merger, financing, acquisition, bankruptcy, dissolution, transaction, or proceeding.

- **Authorities and others** We may disclose your personal information to government authorities or other relevant third parties in order to comply with applicable legal requirements, judicial proceedings, court orders, legal process, or lawful requests from governmental authorities. We may also disclose your information to third parties when we believe in good faith that disclosure is necessary to protect our rights, our property, the integrity of the Services, personal safety, or the interests of you or any other person, and to detect, prevent and/or otherwise address fraud, risk management, security or technical issues.
- **Aggregate information.** We share aggregate statistical data for the improvement of our Services. We may also share aggregate or de-identified information with third parties at our discretion.
- **At your request.** We also share your information as directed or requested by you, or subject to your consent.

**Sharing with Our Affiliates.** We may share your information with our affiliates and subsidiaries in the U.S. and worldwide. We may share your information with our affiliates for the following reasons:

- Provide customer support and marketing services.
- Detect, prevent, and investigate fraud and misuse of our services, other illegal activities, and data breaches.
- Analyze how users use our independent and affiliated platforms, including so that we may improve existing products and services and develop new features, products, and services that may be of interest to our users.
- Ensure compliance with applicable law.

To learn more about your choices related to how we share your information with our group companies, please see the [Your Choices and Rights](#) section below.

**Sharing with Our Business Partners.** We share your information with other third-party business partners for the transaction processing, fraud prevention, marketing, advertising and other processing purposes provided in this Privacy Policy.

To learn more about your choices related to how we share your information with our business partners, please see the [Your Choices and Rights](#) section below.

**Sharing to Process Payment Information.** To use certain Services, we require credit or debit card account information. When you submit your credit or debit card account information through our Services, we share that information with third-party payment processors, and other third-party service providers (including, but not limited to, vendors who provide fraud detection services to us and other third parties) to the extent necessary to meet our contractual obligations to you, to meet our legitimate interests in preventing fraud and other misuse of our platforms, or with your consent where this is required by law. In particular, when you use a credit or debit card to secure a reservation through our Services, we provide your credit or debit card account



information to our third-party payment service providers. For information about the security of your credit or debit card account information, see the [How We Store and Protect Your Information](#) section below.

**Sharing with Other Service Providers.** We share information with third-party vendors, consultants, and other service providers who perform services or functions on our behalf. We do not authorize these third parties to use or disclose your information for purposes other than for which it has been provided. We require these third parties to maintain and implement security measures to protect your information from unauthorized access or processing.

#### **IV. HOW WE STORE AND PROTECT YOUR INFORMATION**

Opentrons maintains commercially-reasonable technical, administrative, and physical security measures designed to protect your information from loss, misuse, unauthorized access, disclosure, alteration, and destruction.

When your credit or debit card account information is being transmitted to our Services or through our Services, it will be protected by cryptographic protocols. To be clear, Opentrons does not itself store your credit or debit card account information, and we do not have direct control over or responsibility for your credit or debit card account information. We use third party payment processors that are the controllers of your credit card information. Our contracts with third parties that receive your credit or debit card account information require them to keep it secure and confidential.

However, we cannot guarantee that transmissions of your credit or debit card account information or your other information will always be secure or that unauthorized third parties will never be able to defeat the security measures taken by Opentrons or our third-party service providers. Except to the extent that liability cannot be excluded or limited due to applicable law, we assume no liability or responsibility for disclosure of your information due to errors in transmission, unauthorized third-party access, or other causes beyond our control.

You play an important role in keeping your information secure. You should not share your username, password, or other security information for your Opentrons account with anyone. If we receive instructions using your username and password, we will assume you have authorized the instructions. If you have reason to believe that your interaction with us is no longer secure (e.g., if you feel that the security of any account you might have with us has been compromised), please contact us immediately as detailed in the [How to Contact Us](#) section below.

**Retention.** We may retain your personal information for as long as necessary to continue to provide you the services requested. We may also retain your personal information as necessary to:

- Maintain logs and business records for analysis, security, and/or audit purposes;
- Comply with record retention requirements under the law;
- Deal with any complaints regarding the Services; and



- Comply with our legal obligations, protect or defend our rights, resolve disputes and enforce our contracts.

## V. COOKIES

As stated above, our automated data collection practices are facilitated by the following technologies:

- **Cookies**, which are small text files that websites store on user devices and that allow web servers to record users' web browsing activities and remember their submissions, preferences, and login status as they navigate a site. Cookies used on our Services include both "session cookies" that are deleted when a session ends, "persistent cookies" that remain longer, "first party" cookies that we place and "third party" cookies that our third-party business partners and service providers place.
- **Local storage technologies**, like HTML5, that provide cookie-equivalent functionality but can store larger amounts of data on your device outside of your browser in connection with specific applications.
- **Web beacons**, also known as pixel tags or clear GIFs, which are used to demonstrate that a webpage or email was accessed or opened, or that certain content was viewed or clicked.

We also work with third-party partners that place cookies, web beacons and other technologies on our Services, including:

- **Ad Targeting.** We work with third-party advertising companies to serve ads via the Services and to permit these companies to place and access their own cookies on your computer in the course of serving advertisements via the Services.
- **Advertising Analytics/Measurement.** We make use of analytics cookies as part of our online advertising campaigns to learn how users interact with our Services after they have been shown an online advertisement, which may include advertisements on third-party websites. In particular, our Services use New Relic and Google Analytics 360 Suite, including Google Analytics Advertising, which are web analytics and analytics advertising services provided by Google, Inc., which use third party cookies. Where required, our Services have activated the IP address anonymization functionality so that the IP address of the user is shortened by Google. Our Services also use the following Google Analytics Advertising features: Google Remarketing, Google Segments, and Double Click by Google. These features use third party cookies to collect information about our website traffic by tracking users across websites and across time and generating reports for us to better understand our website users and to create audiences for our advertisements based on such understanding.
- **Remarketing Pixel Tags.** We may share website usage information about users of our Services with third-party advertising companies for the purpose of managing and targeting advertisements and for market research analysis. For these purposes, we and our third-party advertising companies may place pixel tags (also called clear gifs) on some of the pages you visit via the Services. We will then use the information that is collected using these pixel tags to serve you relevant advertisements when you are visiting other websites on the Internet. These advertisements may be based on your interests.

- **Session Replay Technologies.** We use third party services provided by vendors such as Lucky Orange and FullStory that employ software code to record users' interactions with the Services in a manner that allows us to watch DVR-like replays of those user sessions. The replays include users' clicks, mouse movements, scrolls and keystrokes/key touches during those sessions. These replays help us diagnose usability problems and identify areas for improvement. You can learn more about Lucky Orange by visiting the following link [https://a.storyblok.com/f/110013/x/6355fd3962/lucky-orange\\_privacy-statement\\_updated-01-19-22-69623277v6-c.pdf](https://a.storyblok.com/f/110013/x/6355fd3962/lucky-orange_privacy-statement_updated-01-19-22-69623277v6-c.pdf) and you can opt-out of session recording by Lucky Orange at <https://privacy.luckyorange.com/>. You can learn more about FullStory by visiting the following link <https://www.fullstory.com/legal/privacy-policy> and you can opt-out of session recording by FullStory at <https://www.fullstory.com/optout/>.
- **Other Cookies.** Our partners, who provide certain features on our Services or display advertising based on your browsing activity, also use Local Storage such as HTML5, to collect and store content information and preferences. Please note that different web browsers offer their own management tools for removing HTML5 local storage.

## VI. YOUR CHOICES AND RIGHTS

**Email.** If you no longer want to receive marketing and promotional emails from Opentrons, you may click on the “unsubscribe” link in such emails to opt-out of future marketing email communications. If you have an Opentrons account, you may also opt-out of marketing emails in your account settings. Please note that even if you opt-out of receiving marketing communications from one or all of our Services, we will still send you service-related communications, such as confirmations of any future reservations you make.

**Text Messages.** If you no longer want to receive text messages from Opentrons, reply **STOP** (or as otherwise instructed) to the text message. If you have an Opentrons account, you may also adjust your account settings to opt-out of text messages.

**Cookies and Interest-Based Advertising.** You may be able to limit use of your information for interest-based advertising through the following settings/options/tools:

- **Browser settings.** Changing your internet web browser settings to block third-party cookies (more details below).
- **Privacy browsers/plug-ins.** Using privacy browsers and/or ad-blocking browser plug-ins that let you block tracking technologies.
- **Platform settings.** Google and Facebook offer opt-out features that let you opt-out of use of your information for interest-based advertising. You may be able to exercise that option at the following websites:
  - Google: <https://adssettings.google.com/>
  - Facebook: <https://www.facebook.com/about/ads>
- **Ad industry tools.** Opting out of interest-based ads from companies that participate in the following industry opt-out programs:
  - Network Advertising Initiative: [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp)
  - Digital Advertising Alliance: <https://optout.aboutads.info/>

You will need to apply these opt-out settings on each device and browser from which you wish to limit the use of your information for interest-based advertising purposes. We cannot offer any assurances as to whether the companies we work with participate in the opt-out programs described above.

**Browsers.** You may be able to change the settings to have your browser refuse certain cookies or notify you before accepting cookies. To do so, please follow the instructions provided by your browser which are usually located within the “Help”, “Tools” or “Edit” facility. Some third parties also provide the ability to refuse their cookies directly by clicking on an opt-out link, and we have tried to indicate where this is possible in the table above. You can also find more information about cookies, including how to see what cookies have been set on your device and how to manage and delete them, at [www.allaboutcookies.org](http://www.allaboutcookies.org) and [www.youronlinechoices.eu](http://www.youronlinechoices.eu).

Please keep in mind that, without cookies, you may not have access to certain features on our Sites, including access to your profile/account and certain personalized content. Removing all cookies from your computer could also affect your subsequent visits to certain websites, including our Sites, by requiring that, for example, you enter your login name when you return to that website. Please note that even if you exercise any of the choices described above, you will still see ads, but they will not be based upon the information collected through these tracking technologies and therefore not necessarily relevant to your interests.

**Sharing with third parties.** As described above in the [How We Share Your Information](#) section, we share your information with third parties for their own purposes.

You can opt-out of us sharing your information with:

- **Our affiliates**, for their own marketing purposes;
- **Other business partners**, who use information for their own marketing purposes.

You can opt-out of such sharing by changing your Opentrons account preferences. You may also send such opt-out requests to us as described in the [How to Contact Us](#) section below.

**Do Not Track.** Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” signals.

**Access and Correction of Your Information.** If you have created an online account with us and would like to update the information you have provided to us, you can access your account to view and update your information. You may also contact us as described in the [How to Contact Us](#) section below.

**Legal Rights.** Where applicable under local law, you may have the following rights regarding your personal information: the right to access personal information we hold, and in some situations, the right to have that personal information corrected or updated, erased, restricted, or delivered to you or a third party in a usable electronic format (the right to data portability). Where applicable, you may also object to how we use your personal information if the legal

basis for processing that information is our legitimate interest. Where we are using your personal information on the basis of your consent, and where applicable under local law, you have the right to withdraw that consent at any time. Where you have granted consent to receive direct marketing communications from us, and where applicable under local law, you may withdraw that consent at any time.

If you wish to exercise legal rights you may have under applicable law, please submit your request to [privacy@opentrons.com](mailto:privacy@opentrons.com). So that we can better process your request, please provide the email you use to log into your Opentrons account. If you do not have an Opentrons account, please provide the email you used to make requests or to use our Services.

Where applicable, you may also have the right to register a complaint to your local data protection authority.

## **VII. INTERNATIONAL TRANSFERS OF INFORMATION**

We are located in the United States and information about you will be transferred to, or accessed by, entities located around the world as described in this Policy. Some of these entities, like us, may be located in countries (such as the United States) that do not provide an equivalent level of protection for personal information as your home country. To the extent required by applicable law, by using our Services you consent to the transfer of your personal information to the United States and other jurisdictions as described in this section.

## **VIII. LINKS TO OTHER WEBSITES**

Our Services contain links to other websites or services that are not owned or controlled by Opentrons, including links to websites our affiliates and our advertisers and other business partners. This Policy only applies to information collected by our Services. We have no control over these third party websites, and your use of third party websites and features are subject to privacy policies posted on those websites. We are not responsible or liable for the privacy or business practices of any third party websites linked to our Services. Your use of third parties' websites linked to our Services is at your own risk, so we encourage you to read the privacy policies of any linked third party websites when you leave one of our Services.

## **IX. CHILDREN**

Our Services are not directed at or intended for use by children. We do not knowingly collect information from, children under 18 years of age. If you become aware that your child or any child under your care has provided us with information without your consent, please contact us at using the contact details listed in the [How to Contact Us](#) section below.

## **X. CHANGES TO THIS POLICY**

Except to the extent limited by applicable law, we will update this Privacy Policy from time to time to reflect changes in our privacy practices, legal requirements, and other factors by

prominently posting notice of the update on our Services. Changes to our Privacy Policy will be effective when posted on our Services and the new effective date will be identified.

If we make any changes to the Privacy Policy that materially impact previously collected personal information about you, we will make reasonable efforts to provide notice and obtain consent to any such changes as may be required by law.

To request a copy of this Policy, or to request a copy of the Privacy Policy in place at the time you signed up for an account, please contact us at the details below.

## **XI. HOW TO CONTACT US**

If you have any questions about this Policy or the way in which your personal information has been used, please contact us by email at [privacy@opentrons.com](mailto:privacy@opentrons.com) or by postal mail at:

Opentrons Labworks Inc.  
45-18 Ct Square W  
Long Island City, NY 11101  
Attention: Legal Department

# Additional Disclosures For California Consumers

**Last Updated:** May 4, 2023

This section applies only to California residents. It describes how we collect, use, disclose and share personal of California residents in operating our business, and their rights with respect to that Personal Information. For purposes of this section, “Personal Information” has the meaning given in the California Consumer Privacy Act but does not include data exempted from the scope of the CCPA. In some cases, we may provide a different privacy notice to certain categories of California residents, such as job applicants, in which case that notice will apply instead of this section. Please note, we cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it.

**Your California privacy rights.** As a California resident, you have the rights listed below. However, these rights are not absolute and, in certain cases, we may decline your request as permitted by law.

- **Information.** You can request information about the categories of Personal Information that we have collected; the categories of sources from which we collected Personal Information; the business or commercial purpose for collecting, sharing and/or selling Personal Information; the categories of any Personal Information that we sold or disclosed for a business purpose; and the categories of any third parties with whom Personal Information was sold, shared or disclosed for a business purpose.

- **Access.** You can request a copy of the Personal Information that we have collected about you.
- **Deletion.** You can ask us to delete the Personal Information that we have collected from you.
- **Correction.** You can ask us to correct inaccurate Personal Information that we have collected about you.
- **Opt-out.** You can opt-out of the sharing of your Personal Information for cross-contextual behavioral advertising purposes and/or from the sale of your Personal Information for monetary or other valuable consideration.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination. This means that we will not penalize you for exercising your rights by taking actions such as denying you services; increasing the price/rate of services; decreasing service quality; or suggesting that we may penalize you as described above for exercising your rights.

### How to Exercise Your Rights

- **Right to information, access, correction, and deletion.** You can request to exercise these rights by emailing us at [privacy@opentrons.com](mailto:privacy@opentrons.com).
- **Right to opt-out of the “sale” or “sharing” of your Personal Information.** You can request to opt-out of the “sale” or “sharing” of your Personal Information by clicking the Do Not Sell or Share My Personal Information link in the footer of this webpage. Your request to opt-out will apply only to the browser and the device from which you submit the request.

**Identity verification.** We need to verify your identity to process your requests to exercise your rights to know, access, deletion, and correction, and we reserve the right to confirm your California residency. To verify your identity, we may require you to log into your account if you have one, provide identifiers we can match against information we may have collected from you previously, confirm your request using the email address used to make the request, provide government identification, or provide a declaration under penalty of perjury, where permitted by law.

**Authorized agents.** Your authorized agent may make a request on your behalf upon our verification of the agent’s identity and our receipt of a copy of a valid power of attorney given to your authorized agent pursuant to applicable state law. If you have not provided your agent with such a power of attorney, we may ask you and/or your agent to take additional steps permitted by law to verify that your request is authorized, such as information required to verify your identity and that you have given the authorized agent permission to submit the request.

**Information practices.** The following describes our practices currently and during the past 12 months:

- **Sale and sharing of Personal Information.** Our use of the interest-based online advertising services described above may constitute “sharing” of your Personal Information with our business partners from which you have the right to opt-out under the CCPA. You can request to opt-out of this “sharing” as detailed above. The categories of Personal Information shared include Identifiers and Internet or Network Information as described in the CCPA. As stated above, we do not otherwise “sell” Personal Information as defined by the CCPA. Although our Services are not intended for children under 16 years of age, we are required to inform

you that we do not have actual knowledge that we have sold or shared the Personal Information of children under 16.

- **Sensitive personal information.** We do not use or disclose sensitive personal information (as that term is defined under CCPA) for purposes that California residents have a right to limit under the CCPA.
- **Deidentified data.** We do not attempt to reidentify deidentified information that we derive from Personal Information except that we may do so to test whether our deidentification processes comply with applicable law.
- **Retention.** Our criteria for deciding how long to retain Personal Information is generally based on whether such period is sufficient to fulfill the purposes for which we collected it as described in this Privacy Policy, including complying with our legal obligations.
- **Sources and purposes.** We collect all categories of Personal Information from the sources described in the [Information We Collect and Use](#) section, use them for the business purposes described in the [How We Use Your Information](#) and [Cookies](#) sections above, and disclose them for the business and commercial purposes described in the [How We Share Your Information](#) section above.
- **Collection and disclosure.** The chart below describes the Personal Information we collect by reference to the categories of personal information specified in the CCPA (Cal. Civ. Code §1798.140), and the categories of third parties to whom we disclose Personal Information for business purposes. The terms in the chart refer to the categories of information and third parties described above in this Privacy Policy in more detail. Information you voluntarily provide to us, such as in free-form webforms, may contain other categories of Personal Information not described below. We may also disclose Personal Information to business transferees and authorities and others as described above in the [How We Share Your Information](#) section above.

Statutory category/Personal Information we collect	Categories of third parties to whom we disclose the Personal Information for a business purpose
<p><b>Identifiers</b></p> <ul style="list-style-type: none"> <li>● <a href="#">Personal information we collect directly from you</a></li> <li>● <a href="#">Automatic data collection</a></li> <li>● <a href="#">Inferences about you</a></li> <li>● <a href="#">Personal information we obtain from third parties</a></li> </ul>	<ul style="list-style-type: none"> <li>● <a href="#">Affiliates</a></li> <li>● <a href="#">Business partners</a></li> <li>● <a href="#">Payment processors</a></li> <li>● <a href="#">Service providers</a></li> </ul>
<p><b>California Customer Records</b> (as defined in California Civil Code §1798.80)</p> <ul style="list-style-type: none"> <li>● <a href="#">Personal information we collect directly from you</a></li> <li>● <a href="#">Inferences about you</a></li> <li>● <a href="#">Personal information we obtain from third parties</a></li> </ul>	<ul style="list-style-type: none"> <li>● <a href="#">Affiliates</a></li> <li>● <a href="#">Business partners</a></li> <li>● <a href="#">Payment processors</a></li> <li>● <a href="#">Service providers</a></li> </ul>



<p><b><u>Commercial Information</u></b></p> <ul style="list-style-type: none"> <li>● <a href="#">Personal information we collect directly from you</a></li> <li>● <a href="#">Automatic data collection</a></li> <li>● <a href="#">Inferences about you</a></li> <li>● <a href="#">Personal information we obtain from third parties</a></li> </ul>	<ul style="list-style-type: none"> <li>● <a href="#">Affiliates</a></li> <li>● <a href="#">Business partners</a></li> <li>● <a href="#">Payment processors</a></li> <li>● <a href="#">Service providers</a></li> </ul>
<p><b><u>Financial Information</u></b></p> <ul style="list-style-type: none"> <li>● <a href="#">Personal information we collect directly from you</a></li> </ul>	<ul style="list-style-type: none"> <li>● <a href="#">Affiliates</a></li> <li>● <a href="#">Payment processors</a></li> </ul>
<p><b><u>Internet or Network Information</u></b></p> <ul style="list-style-type: none"> <li>● <a href="#">Automatic data collection</a></li> <li>● <a href="#">Personal information we obtain from third parties</a></li> </ul>	<ul style="list-style-type: none"> <li>● <a href="#">Affiliates</a></li> <li>● <a href="#">Business partners</a></li> <li>● <a href="#">Payment processors</a></li> <li>● <a href="#">Service providers</a></li> </ul>
<p><b><u>Sensitive personal information</u></b></p> <ul style="list-style-type: none"> <li>● The financial information you use to make purchases.</li> <li>● The username/password or other credentials you use to access the Services</li> </ul>	<ul style="list-style-type: none"> <li>● <a href="#">Affiliates</a></li> <li>● <a href="#">Payment processors</a></li> <li>● <a href="#">Service providers</a></li> </ul>
<p><b><u>Inferences</u></b></p> <p>May be derived from any of the above categories.</p>	<ul style="list-style-type: none"> <li>● <a href="#">Affiliates</a></li> <li>● <a href="#">Business partners</a></li> <li>● <a href="#">Service providers</a></li> </ul>